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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/812,832

03/21/2001

Robert George Alexander Craig

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EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,832

Applicant(s)

CRAIG ET AL.

Examiner

Andrew C Lee

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03-21-2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 6, 9 - 20 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Aug 30 2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The Drawings are objected to because the Figures 1, 2, 5, 6 and 7 do not show the claim limitation of claims 6 and 14. The current drawings show the slot processor but not subsequently to the indicating the time plan of the TDM/TDMA transmission and capable of handling both fixed and burst time plans generation for transmission. The processor queue selection and modem queue server do not indicate and describes clearly the exact functions of the enqueue or dequeue for the server. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because the slotted access scheme of Figure 3 does not indicate clearly whether the scheme is transmit side or receive side of the time plan. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to because the wireless network of Figure 4 does not indicate clearly whether the networking using a TDM forward channel and a TDMA return channel as mentioned in the specification (page 10). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:
- Page 2, line 12, the “/ “ should be deleted.
 - Page 10, the Office would request the Applicant to provide more clarification on the idle cell queue functions. The specification mentions the idle queue but does not provide further information on their usage and function in the system.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 6, 9 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Pasternak et al. (U.S. Patent No. 6760305 B1).

Regarding Claims 1 and 18, Pasternak et al. discloses the limitation of queuing data for transmission by a modem comprising (Fig 2, column 8, line 36): first queues for

queuing received data from a plurality of data streams (Fig. 19, column 15, lines 14 – 16); at least one queue selection entity for selecting data from the first queues (Fig 19, column 15, lines 7 – 9); second queues for queuing data from the at least one queue selection entity (Fig. 19, column 15, lines 14 – 16); and a queue server for assembling data from the second queues for transmission by the modem (Fig 19, column 15, lines 56 – 61; Fig. 16, column 11, lines 55 – 58; Fig 2).

Regarding Claims 2, 17 and 19, Pasternak et al. discloses the limitation of the first queues comprising a plurality of groups of data queues and wherein the at least one queue selection entity comprising a plurality of queue selection entities (Fig. 19, column 15, lines 7– 9), each queue selection entity corresponding to one group of data queues and wherein each queue selection entity selects data from the corresponding group of data queues (Fig. 19, column 15, lines 15 – 25).

Regarding Claim 3, Pasternak et al. discloses the limitation of first queues are input queues for receiving data within a control microprocessor (Fig. 19, column 15, lines 7 – 11).

Regarding Claim 4, Pasternak et al. discloses the limitation of second queues are modem queues (Fig. 16, column 12, lines 60 – 67; Fig 2).

Regarding Claim 5, Pasternak et al. discloses the limitation of the queue server is a modem queue server (Fig. 16, column 11, lines 55 – 58; column 12, lines 61 - 67).

Regarding Claim 6, Pasternak et al. discloses the limitation of the assembled data is assembled into packets suitable for transmission using time division multiplexing (Column 1, lines 59 – 63; Fig. 18, column 14, lines 66 – 67).

Regarding Claim 9, Pasternak et al. discloses the limitation of the plurality of data streams containing data having a common format (column 9, lines 51 – 54).

Regarding Claim 10, Pasternak et al. discloses the limitation of the format of the data in at least two of the plurality of data streams being different from each other (column 1, lines 33 – 37).

Regarding Claim 11, Pasternak et al. discloses the limitation of the assembled data including data from each of the at least two different data formats (Fig. 23, column 17, lines 55 – 56).

Regarding Claim 12, Pasternak et al. discloses the limitation of the assembled data is for transmission in a time division multiplexing time slot (column 1, lines 59 – 63).

Regarding Claim 13, Pasternak et al. discloses the limitation of comprising a slot processor for providing timing information to the queue server (column 17, lines 9 – 11).

Regarding Claim 14, Pasternak et al. discloses the limitation of the slot processor including a burst time plan table from which the timing information is derived (column 1, lines 59 – 63).

Regarding Claim 15, Pasternak et al. discloses the limitation of comprising a timing controller for controlling the transmission of the data from the queue server and a timing reference providing a time source to the timing controller (column 17, lines 9 – 16).

Regarding Claims 16 and 20, Pasternak et al. discloses the limitation of queuing data received by a modem comprising (Fig 2, column 8, line 36): a queue server for disassembling data received by the modem (Fig. 16, column 11, lines 62 – 65; column 15, lines 65 – 67); a plurality of first queues for queuing the disassembled data (Fig. 19, column 15, lines 14 – 16; column 15, lines 64 – 67); a plurality of second queues (Fig. 19, column 15, lines 15 – 16); and at least one queue selection entity for receiving data from the first queues and queuing the data to the second queues (Fig. 19, column 15, lines 14 – 17).

Allowable Subject Matter

7. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL 22 September 2004


Ajit Patel
Primary Examiner